

1888-001
Lee Co.

Chancery Causes: Matthew W. Zion vs. James M. Zion &c

Yearly. Roup, Sprinkle, Forister, Shelburn

CA - Estate Dispute
T - Property

To the Honorable, St. S. K. Morrison,
Judge of the Circuit-Court for R. Co., V^{ca}.

Humbly complaining your
orator Mathew H. Zion would respect-
fully represent unto your honor that on
the 21st day of August, 1888 his father A. S. Zion,
departed this life intestate the owner in fee of
three tracts of land; one of which, the one on
which he lived at the time of his death, has here-
tofore been partitioned among those entitled ther-
to; the other two tracts are situated in the Pocket
country in R. Co., on the waters of the North
Fork of Powell river, and are very valuable now
for their coal and timber.

And your orator further states that
said A. S. Zion died surviving him a widow,
Anna, the unknown children of his son Har-
vey L. Zion who died before his father A. S.
Zion and nine children, to wit: Your or-
ator, L. M. Zion, St. S. Zion, Jas. M. Zion,
Ada T. Zion, Elizabeth, now the wife of John
J. Yeary, Mary P., now the wife of Reed
Rouse, Martha S. L., now the wife of Harvey
R. Sprinkle, Alpha F., now the wife of Thor.
B. Forister and his grand-son Wm. D. Zion who
was the only child of John S. Zion. The names
of the children of the said Harvey A. Zion are un-
known to your orator, but he knows them
to be under the age of 21 years old.

Your orator further states that by
the laws of descent the property in and title
to said three tracts ^{of land} descended and are passed
to your orator, the said children and grand-

1 children in coparcenary, subject to the dower of
2 the said Anna Zion.

3 Your orator further states that one of
4 said tracts of land, the home tract and the most
5 valuable one has heretofore been partitioned,
6 and in that tract the said Anna was assigned her
7 dower equal in rental value in all of said
8 three tracts of land. Hence your orator is ad-
9 vised she is not entitled to dower in said
10 two mountain tracts of land.

11 Your orator further states that the
12 said A. T. Zion, and the unknown heirs of the
13 said Harvey A. Zion are non-residents of this
14 state.

15 Your orator further states that he has
16 purchased the interest of H. D. Zion in the
17 tract of land situated on the north side of
18 the North Fork, one of said two mountain tracts,
19 and that he is the owner of a valuable tract of
20 land next to and adjoining that tract on the
21 north side of said river, and that he has sold to
22 H. D. Zion his interest in that tract on the
23 north side of Stone Mountain and south of said
24 river, and he is advised his said two interests
25 in the tract on the north side of said river can
26 be laid off and assigned him next to and ad-
27 joining his other lands.

28 Now the premises considered, your orator
29 is advised that he is remediless at law, but
30 that in your honor's court he is entitled to
31 a remedy in having said two mountain tracts
32 partitioned among those entitled thereto,
33 and to that end he humbly prays that

1 C. M. Zion¹, J. M. Zion², H. S. Zion³, H. P. Zion⁴,
2 Asa T. Zion⁵, John J. Yeary⁶, Elizabeth Yeary⁷,
3 Rnd Rouse⁸, Mary P. Rouse⁹, Harvey L. Sprinkle¹⁰,
4 Martha S. L. Sprinkle¹¹, Thomas B. Forister¹², Al-
5 pha F. Forister¹³, Anna Zion¹⁴, and the unknown
6 heirs of Harvey A. Zion be made parties defend-
7 ants to this bill of complaint; and that they each be
8 required to answer its several allegations on oath;
9 That an order of publication be made against
10 the said non-resident-defendants as the law
11 requires; That a guardian ad litem be appoint-
12 ed for the said unknown infant-heirs of Harvey
13 A. Zion to defend their interest in this suit;
14 That upon a hearing of this cause a decree be
15 entered directing proper course to partition
16 said two tracts of land among those entitled
17 thereto. And other further and general relief
18 be granted your orator as may seem prop-
19 er in his said cause. May your honor issue
20 &c. And he will well pray &c.

21 C. H. Cunningham

22 P. J.

E.W.S.
M. W. Zion

Clearing \$18 01

Dr 15 00

Dr 5 00

G. A. L. 5 00

Courts 36 39

Geo L 4 23

\$83.63

Wm P. Zion self 7.60

Same as above 7.63

Forester 7.60

Mathew 8.11 - 1/2 3.60

Martha Sprinkle 28.07

S. E. Shelburn 24.07

\$83.63

27. } Bill in Chan

for M. Zion et al

1888, Febry Bill filed & accepted as to home adult debts, order

Pub as to non residents

" Mr. Ans G. A. L. filed order

Pub completed & case set for hearing

" Apr Decree continued

" Sept Decree continued

" Decr Decree final

To the Honorable S. S. H. Morison, Judge of the
Circuit Court of this County, Va.

Your petitioner Martha
S. L. Sprinker by Harvey L. Sprinker her
husband and next friend would respectfully
represent unto your honor That-one M. W.
Zion brought a suit in this court to have cer-
tain lands mentioned in his bill partitioned
among those entitled thereto and your petitioner
being one of those by law entitled to a share of
said land was made a party to said bill.

Your petitioner further represents
That-since^{the} institution of said suit she has
purchased the interests of L. M. Zion, J. M.
Zion, Asa T. Zion, and Phoebe Rouse in that-
tract mentioned in said bill on the north side
of the North Fork of Pawnee river and known
as the Wolf-harbor tract.

The premises considered your pe-
titioner is advised she is entitled to have
her said interest-laid off to her in one
joint body if the same can be done
conveniently and without-prejudice
to the other claimants Hence she prays
That-the decree in said cause directing a
partition of said lands may so direct her
interests to be assigned her; and That-
the Defendants to said bill together with the
plaintiff therein except your petitioner may
be made parties Defendants to this peti-
tion. And she will ever pray &c

Mary S. Sprinker
per counsel.

Mary S. Spinkes by ex

vs. } Petitioner

J. H. Zinn et als

To the Honorable H. S. K. Morrison Judge of the
circuit Court of the County, Va.

Your petitioner, S. E. Shelburn would represent unto your honor
That heretofore one M. H. Zion instituted
a suit in chancery against the heirs
of R. S. Zion dec'd. to have partitioned
certain lands set out in the bill of the
said M. H. Zion; That since the institu-
tion of said suit your petitioner has pur-
chased in the tract of land on the north side
of Stone Mountain and south of North
fork river mentioned in said bill the
shares of L. M. Zion, J. M. Zion, M. H.
Zion, J. M. Zion, Ada T. Zion, Martha
S. Sprinkle and Mary P. Roup and Eliza-
beth Yeary.

The premises considered your pe-
titioner is advised that he is entitled to have
his said interests assigned him in one
joint body. Hence he prays That the
court to be entered directing a parti-
tion of said lands may so direct the
interest of your petitioner to be laid off;
That all parties in said suit both de-
fendants and plaintiff may be made par-
ties to this petition, or else your pe-
titioner be made a party to said suit.
And he will ever pray &c

S. E. Shelburn
per counsel.

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S. E. Shelburne

vs } Petitioner

J. M. Zion & all

The joint answer of the unknown infant-heirs of Harvey R. Zion decd, by A. M. Goins their guardian ad litem, assigned to defend them in this suit, to a bill of Complaint-Them and others, in the circuit-court of his County, by Matthew H. Zion.

Your respondents, reserving to themselves the benefit of all just-exceptions to the said bill, for answer thereto, or to so much thereof as they are advised that it is material they should answer, by their said guardian ad litem, answer and says:-

That They are infants of tender years, and by reason of their infancy are incapable of understanding, or of taking care of their rights and interests. They therefore, by their said guardian ad litem, commend themselves their rights and interests to the care of the court, and pray that no decree may be pronounced that will tend to their prejudice.

And having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended & they will ever pray &c.

A. M. Goins guardian
ad litem for the unknown infant heirs
of Harvey R. Zion decd.

J. M. Gion et al

vs } Answer of
} W. A. Litem

Matthew H. Gion

Filed March 2nd 1888

J. A. Giffatt cc

Mt. Zion Campbell.

vs.

J. M. Zion et al's Defts.

In Chanc.

This cause came on again this the day of Dec., 1888 to be heard upon the papers formerly read in the cause and the report of Commissioners filed therein more than 10 days prior to the sitting of this Court, and was argued by counsel. Thompson and for reasons appearing to the Court it is adjudged, ordered and decreed that said report be confirmed, and that out of the tract of land described in the said bill proceedings as situate on the North side of the North Fork of Powell's river and in Half Harbor, and represented on the plot of said Court, as plot No. one that M. W. Zion take and hold lot No. one in fee simple; That Martha E. Sprinkle wife of Harvey E. Sprinkle take and hold lot No. four; and that Alpha T. Forister wife of T. D. Forister take and hold in fee simple lot No. three; That M. W. Zion take and hold lot No. two; and that the undersigned heirs of Harvey A. Zion take and hold in fee simple lot No. one. It is further adjudged, ordered and decreed that out of the tract of land described in said bill and proceedings as situate on the south side of said river and on the North side of the Stone man-

tain and represented on the plot of
said course, as plat no. two, and
that the unknown heirs of Harvey A.
Ginn Take and hold in fee-simple
lot no. one; And that W.D. Ginn
Take and hold lot no. two in
fee-simple; that S. E. Shelburn
Take and hold lot no. three in fee-
simple; and that Alpha T. Forister
Take and hold lot no. four in
fee-simple; and to which said
plats and the report of said
Course - reference is here made
for a more particular description
of said land. It is further order-
ed that the Clerk of this court trans-
mit the decree for partition en-
tered in this cause, the plat and
report of of said course, filed
therein and this decree to the Clerk
of the County Court to be recorded
in the latter named court in the
proper books kept for that
purpose. And it is further order-
ed, adjudged and decreed that the
Clerk of this court tax up the
costs in this suit and that each
party interested therein is decreed
to pay the same in proportion to
his interest therein and for the
collection of the same execution may
issue. And this Cause is stricken
from the docket.

M. H. Zion

vs } Dec
final

J. M. Zion et al

Entered Dec. 5th 1888

Chcy O.B. 167.

Otyatt

Enter This

Dec 5 1888.

H. d. N. m

17
18 Mr. W. Zion

19 vs.

20 J. M. Zion (Tate)

} In Chancery.

21 ~~that~~ Upon the suggestion of
22 the plaintiff in this cause, J. M. Tate
23 who was by decree entered April, 3rd 1888
24 appointed a commissioner, and by said decree
25 directed to do certain things therein
26 set out, is hereby removed and it is
27 ordered and decreed that ~~for~~ Luther M.
28 Carmichael is appointed in said Tate's
29 room & stead and directed to per-
30 form the things of said decree, and
31 this cause is continued.

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~~M. H. Zion~~

or } Decm no. 2

J. M. Zion et al

Entered page 146

J. A. G. Hyatt

Enter

Sept. 4 1888.
H. C. M.

M. H. Zion

Compt.

vs

J. M. Zion et al

Defts

In Chancery

This cause came on this day to be heard upon the bill of Compt., exhibit- its filed therewith, the petitions of S. E. Shelburn and Martha S. Sprinkle by H. C. Sprinkle her next friend and the answer of the infant unknown heirs of Har- ury A. Zion by A. M. Gouss their guardian ad litem: On consideration of all of which, and it appearing to the court that process had been served upon the adult defend- ants for more than ^a month, as to them said bill is taken for confessed, and it is ordered adjudged and decreed that-

A. N. Pennington, J. M. Tate and Evan Lewis, who are hereby appointed commissioners for the purpose, do go upon the lands in the bill and proceedings mentioned and lay off, allot and assign the same, viz:

First. By assigning to M. H. Zion two equal full shares or $\frac{2}{11}$ of that tract in the bill mentioned situated on the north side of the North fork of Powell's river next to and adjoining his other lands if the same can be done without materially prejudicing the rights of others interest- ed;

Second. By assigning to S. E. Shel- burn eight elevenths in value of that tract situated on the south side of said river and on the north side of Stone Mountain-

tain in our body if the same can be done without materially prejudicing the rights of others interested;

Third. By assigning to Martha S. Sprin-
kle five elevenths in value of that-
tract in said bill mentioned situate
on the north side of said river in our
body if the same can be done without
materially prejudicing the rights of
others interested;

Fourth. By assigning to the unknown heirs of
Harvey A. Zim, Alpha F. Forister and H. P.
Zim each one eleventh in equal value of
that tract situate on the north side of the
Stone Mountain and south of said river;

Fifth. By assigning to the unknown
heirs of Harvey A. Zim and Alpha
F. Forister, H. P. Zim & Elizabeth Geary
each one eleventh of that tract situate
on the north side of said river in Half
Harbor, in each case of assignment-
said courts will have due regard to
value and quantity &c. And said
courts will report their action to the
next term of this court. And this cause is
continued.

W. H. Forister

22 } Deem no. 1

D. M. Zim & Co

Collected Page 117

John Heath Esq

Enter this decree
at 10 PM
April 3rd 1888

Virginia

At a Circuit Court Continued
and held for &c at &c Sept. 11th 1888.

Mathew W. Zion

Deft

Subs

vs
J. M. Zion et al

Defts

Upon the suggestion of the Deft.
in this Cause - J. M. Tate, who was
by a decree entered April 3rd 1888
appointed a Commissioner, and
by said decree directed to do cer-
tain things therein set out, is
hereby removed; and it is
ordered and decreed that
Luther Carnical is appointed
in said Tates room and stead
and directed to perform the
duties set out in said decree
and this Cause is Continued

A copy

Teste J. A. Hyatt &c

one copy

Matthew W. Zion
vs 3 Copy Decree

J. M. Zion et al

Handed Copy of this
together with former
Decree to L. M. Corns
Sept 17th 1888.

J. A. Hyatt

Clerk \$1.08
Do. 1.38
\$2.46

Virginia, Du. Co., to wit:

This day, Matthew H. Zion personally appeared before me in my county & state aforesaid and made oath that Asa T. Zion and the unknown heirs of Harvey L. Zion are now residents of this state Given under my hand this June. 11th 1889

J. A. Hyatt C.

Mathew H. Zinn

vs } Affidavit

James M. Zinn et al

Page 1- Mathew W Zion Pleff } In Chy.
J. M. ^{vs} Zion et al Defts }

Pursuant to Orders of The Circuit Court held for Lee County- April 8th & Sept 4th 1888 We the undersigned Commissioners proceeded Sept 20th 1888 to partition The Mountain lands of R D Zion Decd, as set forth in said decrees or orders, according to The following Plat and report. We found the lands situated on the north side of the north fork of Powell's river, and in Wolf Harbor to contain 127 acres; which we represent by accompanying plat No 1

Out of this tract we have laid off, allotted and assigned to the unknown heirs of Harvey A. Zion Lot No 1 and bounded as follows Beginning at (A) two dogwoods and a chestnut oak on top of Wolf Harbor ridge (Corner to original Lot in partition of the Land of Phebe Persons) thence with the top of said ridge as it meanders S 9 W 27.66 poles to (1) a stake. thence leaving top N 72 E 78 1/2 poles to (2) a stake on top of ridge thence with the top as it meanders N 41 1/4 W 2 1/2 poles to (R) a stake on top of a high point N 63 1/4 W 81.58 to (S) a stake S 73 5 W 41.56 poles to the beginning - Containing 9 acres

We have laid off and assigned, to W^m P. Zion Lot No 2 Beginning at (1) a stake on top of ridge Corner to Lot No 1. Thence with top S 9 W 82 links to (B) a stake - S 9 E 17 poles

to (B) a stake ~ N 73 E 91 poles to (A) a stake on top
of ridge thence with top N 41 $\frac{3}{4}$ W 30 poles to (2)
corner to Lot N^o 1 & with line of same S 72 W
78 $\frac{1}{2}$ poles to (1) the beginning - Containing 9
acres

We have laid off and assigned to Alpha
J. Forrester Lot N^o 3 bounded as follows
Beginning at (B) corner to Lot N^o 2 thence
S 9 E 9.86 poles to (C) a stake near a large rock
& on top of ridge S 1 W 3. 56 poles to a stake
(at 5) on top of ridge thence N 76 E 135
poles to (K) a dead oak & a chestnut on a
point or knob of ridge (same corner described
in original partition as 4 small spanish oaks)
thence with top of sd ridge N 78 $\frac{1}{2}$ W 22. 28
poles to (D) a black-gum S 55 $\frac{1}{4}$ W 10.40 poles
to (P) a stake on a knob N 68 $\frac{1}{4}$ W 14.40 po
les to (Q) a stake N 41 $\frac{3}{4}$ W 2 $\frac{1}{2}$ poles to (4) a
stake corner to Lot N^o 2 & with a line
thereof S 73 W 91 poles to the beginning
Containing 9 acres

We have laid off and assigned to Martha
& Sprinkle Lot N^o 4 Beginning at (N) a
chestnut & dead oak on top of a point or knob
of Wolf Harbor ridge - Corner to Lot N^o 3 - Thence
with line of same S 76 W 135 poles to (5) a stake
on top of ridge and with the same as it

meanders S 1 W 19 poles to (D) a stake on a hill
S 40 $\frac{1}{4}$ W 13.76 poles to a chestnut-oak white-oak & sp
ish-oak Morgans corner (at E-) S 5 $\frac{1}{2}$ W 15.82
poles to (6) a stake thence leaving top
of ridge (at F) S 88 $\frac{3}{4}$ E 170 poles to (7) a
stake on a line of James Quillins land
& with the same N 20 $\frac{1}{4}$ E 42 poles to (J)
a stake on a ridge N 18 $\frac{1}{4}$ W 20 poles to (K)
a stake on top of ridge N 4 W 12 poles to (L)
a large white-oak on top of ridge N 38 $\frac{1}{2}$ W
31 poles to (M) a red-oak sourwood & Che-
nut on top of a point S 48 $\frac{1}{4}$ W 16.56
poles to (N) the beginning - Containing
72 acres - which we consider equal in
value to $\frac{6}{11}$ of the whole - $\frac{5}{11}$ by virtue
of direction in decree and $\frac{1}{11}$ by virtue
of purchase from Elisabeth Jearry

We have laid off and assigned to Mr.
W Zinn Lot No 5 bounded as fol-
lows. Beginning at (F) a sourwood &
black-gum on top ridge. thence S 36 $\frac{1}{2}$ E 11.40 poles
to (G) a stake. S 8 $\frac{1}{2}$ E 11.88 poles to (H) two Chestnut-
oaks & a black-gum. thence with a line of original
survey S 88 $^{\circ}$ 35' E 162 po. to a stake (8) N 56 E 7 $\frac{1}{4}$ po
to (9) a stake maple hickory & black-oak (corner to pur-
chase from Tobias Hughes) & on top of a
ridge N 13 $\frac{1}{4}$ W 16 po to a small hickory

+ dogwood). Thence leaving tip $N 80^{\circ} \frac{3}{4} W 6$ po.
to a black-gum & red-oak on the west side
of ridge (at I) $N 20^{\circ} \frac{1}{4} E 6$ po to (7) a stake
corner to Lot $N^{\circ} 4$. Thence with sound $N 88^{\circ} \frac{3}{4} W$
170 po to (6) the beginning. Containing
28 acres. In making said Assign-
ments we have had due regard to quan-
tity & quality and have endeavored
to make each share equal to one eleventh
of the whole

Page 5- Mathew W Zion Deft {
J. M. Zion Deft } In Chy

The lands on the South side of the river & on the North side of Stone Mountain (which is represented by Plat No. 2) originally consisted of two Lots or tracts, and we find by surveying that together they contain 164 acres, the Eastern tract containing $66\frac{1}{2}$ acres and the Western $97\frac{1}{2}$. Moreover we are informed that the unknown heirs of Harvey W Zion own $\frac{1}{10}$ of the $66\frac{1}{2}$ A. tract, irrespective of their rights in common with the other heirs of this suit. Therefore we have laid off and assigned to the unknown heirs of Harvey W Zion Lot No. 1 which we consider equal in value to $\frac{1}{10}$ of the $66\frac{1}{2}$ A. tract together with $\frac{1}{11}$ of the remaining portion of said tract and $\frac{1}{11}$ of the $97\frac{1}{2}$ acre tract, and bounded as follows to wit. Beginning at (A) a stake & Chesnut sprouts, very near on top a hill or spur of said mountain & on the North line of original tract, now being Wm Smiths line, also a corner to Lot No. 2, thence with line of same S 15° E 125 poles to (B) a stake on top of Stone Mountain & with top of same as it meanders N 66° E 26 poles to a stake in the low gap & on the East line of original Lot & with same N 15° W 127 poles to (D) a stake on Smiths line & with same S $61\frac{1}{2}^{\circ}$ W 26 poles to the beginning containing $20\frac{3}{10}$ acres

We have laid off and signed to W⁴ P.
Zion Lot N^o 2 bounded as follows

Beginning at (A) a stake & Chesnut
Sprouts corner to Lot N^o 1, thence with
original line S 6 1/2 W 18.80 poles to (E) a stake
& pointers about 2 poles East of a small hollow
on S 15 E 123 poles to (F) a stake on top of
stone mountain & with top of same as
it meanders N 66 E 18 3/4 poles to (B) a stake
corner to Lot N^o 1 & with line of same N 15 W
125 poles to (A) the beginning. Containing
14 3/10 acres

We have laid off and signed to S. E.
Shelburn Lot N^o 3 bounded as follows

Beginning at (H) a stake & pointers
on Smiths line. corner to Lot N^o 4
thence with sd line S 66 E 4 1/3 poles to
(I) a white-oak & spruce N 71 E 66.88 poles
to a lynn & poplar in a hollow S 1/4 E
23 poles to (K) a stake on said Smiths line
& with same N 71 E 47.40 poles to (L) a stake
on another line of sd Smiths & with same
S 58 1/2 E 25.18 poles to (C) a maple. N 6 1/2 E 24
poles to (E) a stake and pointers about
two poles East of a small hollow; corner to
Lot N^o 2, thence with line of same

S 15 E 123 poles to (F) a stake on top of
Stone mountain, and with the
same as it meanders S 66 W about 121
poles to (M) a stake corner to Lot N^o 4
and with line of same N 32 W
131 poles to (H) the beginning.
Containing 112 Acres

We have laid off and assigned
to Alpha T. Forrester Lot N^o 4
with the following metes & bounds.

Beginning at (K) a poplar tree
white oaks & a beech, on the north bank
of the North Fork of Powell's river, the
original beginning corner of the 97½
Acre tract - then with line of original
tract S 89 E 6 poles to a stake on
south bank of river S 66 E 28.16
poles to (H) corner to Lot N^o 3 and
with a line of the same S 32 E
131 poles to (M) a stake on top of
Stone mountain and with the
same as it meanders S 66 W 20 poles

to (P) a stake on Pennington line
 & with some N 32 W 155 poles
 to (M) the beginning. Containing
 17 acres

All of which is most Respect
 Submitted - L. M. Carnical
 A. N. Pennington
 B. Lewis

Recorded Deed
 Book 23 P 339-340-341
 J. R. Libbards

Cours fee \$36.39

Bill of Cost

Commission -	Wolf Harbor work	Stim Mountain
L. M. Carnical	\$ - - - 9.00	\$ - - - 6.00
A. N. Pennington	\$ 3.25	\$ 2.25
E. B. Lewis	3.25	3.00
Matthew W. Zim-work	\$ 2.63	1.76
" " "	Bonding 2.85	1.90
	<u>\$20.98</u>	<u>\$15.41</u>
		<u>20.98</u>
		<u>\$36.39</u>

to (P) a stake on Pennington line
 & with some N 32 W 155 poles
 to (M) the beginning. Containing
 17 acres
 Matthew W. Zim-work
 Wolf Harbor work
 Stim Mountain
 L. M. Carnical
 A. N. Pennington
 E. B. Lewis
 J. R. Libbards
 Book 23 P 339-340-341
 Recorded Deed
 Filed Apr 20 1888
 J. R. Libbards

Virginia:—

In the Clerk's office of the Circuit
Court for Lee County at the Court
house thereof on Wednesday 11th Jan'y. 1888.

Mathew W. Zion

Plaintiff

vs

James N. CHASE et al. Defendants

In Chancery

The object of this suit is to have
a decree entered ordering Commissioners
to settle the lands mentioned in
the Bill and it appearing from
an affidavit filed in this Cause
that the defendants Asa T. Zion
and the Unknown Heirs of Harvey
L. Zion are non residents of
this State. It is therefore ordered
that they appear here within
one month after due publication
of this order and do what
may be necessary to protect
their interest in this suit.

Copy.

E. H. Pennington P. Q.

Lester J. A. Hyatt cc

NOTICE!

LOOK TO YOUR INTEREST

DOWN! DOWN! DOWN!

For the next Ninty Days for Csh
I will offer my Entire Stock of
CLOTHING!

BOY'S OVERCOATS,

MEN'S HATS,

LADIES HATS, LADIES FINE SHOES, AND SLIPPERS FOR COST, AND
ALL CALICOES 7 CTS. I AM OVER STOCKED WITH THESE GOODS, AND THEY
MUST GO.

Remember the year is out, you must come up and settle, all accounts must be
closed for 1887. Don't put it off, save time and trouble. Thanks for past favors

Respectfully

CHAS. E. BAYLOR.

BOON'S PATH, VA

JANUARY 15th 1888

Mathew W. Zion

3 Order Book
233

James Zion et al

I certify that I
delivered to the
H. Eagle an office
copy of this order
for publication
I posted a like
copy thereof on
the front door of
the Court house
at the Lebanon
Tenn 1888 of the
County Court

J. H. Hyatt

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon *R. M. Zion¹, James M. Zion², Asa T. Zion³, John J. Quay⁴, Elizabeth Quay⁵, Rufus Quay⁶, Mary P. Quay⁷, Harvey L. Sprinkle⁸, Martha S. L. Sprinkle⁹, Thomas B. Forister¹⁰, Alpha F. Forister¹¹, Wm. Zion¹², H. D. Zion¹³, Anna Zion¹⁴, and the unknown heirs at law of Hardy L. Zion dec'd.*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in *February* next, being rule day to answer a bill in Chancery exhibited in our said Court against *them* by *Matthew H. Zion*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This *11* day of *January* 1888, in the 11² year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

E. M. P.

Mathew W. Zion

vs } Spain Chcy
}

James M. Zion et al

Lo Febry Rules 1888

we accept legal
service of this Spa
Jany. 27 1888.

1 Lafayette M. Zion

2 James M. Zion

3 J. J. Yeary

4 E. P. Yeary

5 W. R. Rock

6 Mary P. Rock

8 H. L. Sprinkle

9 Martha J. Sprinkle

10 J. B. Forester

11 A. M. Forester

12 Wm. J. Zion

13 W. D. Zion

14 David Zion

J. M. D. Grobeel Editor
and Publisher of The ~~Cum~~
Herald Eagle, a Paper
published in the town
of Jamesville Va do
Certify that the
following non-Resident
notice appeared in
The ~~Cum~~ Herald Eagle
four consecutive times
and the Printer fee is
\$5.00 Beginning 3rd of Jan
and ending 3rd of Feb.

VIRGINIA: In the Clerk's Office of the
Circuit Court for Lee county at the court
house thereof on Wednesday 11, of January
1888.

Matthew W. Zion, Plff., }
vs. } Le Chancery.
James M. Zion et al Defs }

The object of this suit is to have a decree
entered ordering Commissioners to partition
the lands mentioned in Bill: and it appearing
from an affidavit filed in this cause that the
defendants Asa T. Zion and the Unknown
heirs of Harvey L. Zion are non-residents of
this State. It is therefore ordered that they
appear here within one month after due pub-
lication of this order and do what may be
necessary to protect their interest in this
suit. A Copy Test.

J. A. G. HYATT, C. C.

E. W. Pennington, p. q.

Mathew W. Zion

vs { Pub.

{ Certificate

James M. Zion et al

Printers fee 5¢